

09/263,068

FEB 1 5 2002

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
ORIGINALLY FILED

In re Application of:

Boris PECHENY

Application No.: 09/263,068

Group Art Unit: 2172

Filed: March 8, 1999

Examiner: Fleurantin, J.

Attorney Docket No.: 50277-0164

Client Docket No.: OID-1997-039-01

For: LEXICAL CACHE

Assistant Commissioner for Patents
Washington, D.C. 20231RECEIVED
FEB 27 2002
Technology Center 2100**PETITION TO RESET A PERIOD FOR REPLY
DUE TO LATE RECEIPT OF A PTO ACTION**

Dear Sir:

Pursuant to 37 CFR § 1.182 and MPEP § 710.06, Applicant respectfully petitions to reset a period for reply due to late receipt of the Final Office Action mailed November 23, 2001 to run from the date of receipt, which is February 4, 2002. This Petition is accompanied by the petition fee set forth in 37 CFR § 1.17(h).

(A) This Petition is filed within two (2) weeks of the date of receipt of the Final Office Action, namely February 4, 2002.

(B) A substantial portion of the set reply period had elapsed on the date of receipt, namely two-and-a-half months of the three-month period.

(C) (1) Applicant submits evidence in the form of a true copy of the stamped, front page of the Final Office Action, which bears a "Received" date-stamp by the corresponding attorney's law firm showing that the Final Office Action was received on February 4, 2002.

(2) Pursuant to the procedures of the corresponding attorney's law firm, all incoming mail from the PTO is date-stamped by the docket clerk on the day of receipt to indicate the corresponding attorney's law firm and date of receipt. In this case, the date-stamp indicated that the date of receipt is **February 4, 2002**.

(D) Although not immediately apparent from the true copy of the front page of the Final Office Action, the papers in the Final Office Action are yellow and brittle, indicating that they may have been baked or irradiated pursuant to the anthrax decontamination procedure being employed around the time the Final Office Action was mailed.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

2/15/2002
Date



Stephen C. Carlson
Attorney for Applicant(s)
Reg. No. 39929

Stephen C. Carlson
10507 Braddock Rd
Suite A
Fairfax, VA 22032
703-425-8516

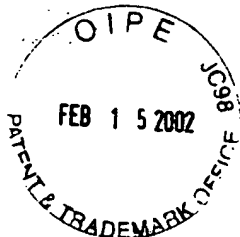


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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/263,068	03/08/1999	BORIS PECHENY	50277-164	1360

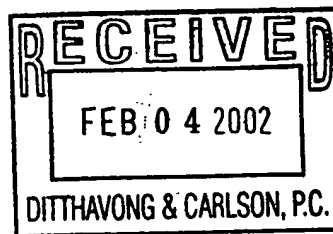
7590 11/23/2001
DITTHAVONG & CARLSON, P.C.
10507 BRADDOCK RD
SUITE A
FAIRFAX, VA 22032



COPY OF PAPERS
ORIGINALLY FILED DATE MAILED: 11/23/2001

EXAMINER	
FLEURANTIN, JEAN B	
ART UNIT	PAPER NUMBER
2153	

Please find below and/or attached an Office communication concerning this application or proceeding.



50277-0164

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Technology Center 2100

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number 09/263,068

Filing Date March 8, 1999

In re Application of: Boris PECHENY

Group Art Unit 2172

Examiner Name Fleurantin, J.

Attorney Docket Number 50277-0164

Total Number of Pages in This Submission


6

Client Docket Number OID-1997-039-01

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Petition to Reset a Period for Reply Due to Late Receipt of a PTO Action
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Exhibit A
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request of Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	DITTHAVONG & CARLSON, P.C. Stephen C. Carlson, Reg. No. 39929
Signature	
Date	February 15, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:			
Type or printed name	Karlyn J. Geiger		
Signature		Date	February 15, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEB 15 2002

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PTO/SB/17 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number 09/263,068

Filing Date March 8, 1999

First Named Inventor Pecheny

Examiner Name Fleurantin, J.

Group/Art Unit 2172

Attorney Docket No. 50277-0164

RECEIVED

FEB 27 2002

METHOD OF PAYMENT (check one)1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.172. ☒ Payment Enclosed:☐ Check ☒ Credit Card ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
Independent Claims	-20**=	X	
Multiple Dependent	-3**=	X	

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$130.00)

SUBMITTED BY

Name (Print/Type) Stephen C. Carlson

Signature

Registration No. (Attorney/Agent) 39929

Complete (if applicable)

Telephone 703-425-8516

Date February 15, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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